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SENATE

{ REPORT
{ No. 1944

DEBORAH ANITA HUDSON

JUNE 27, 1952.—Ordered to be printed

Mr. McCARRAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. R. 4762]

The Committee on the Judiciary, to which was referred the bill (H. R. 4762) for the relief of Deborah Anita Hudson, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the racial barrier to admission into the United States in behalf of a half-Japanese child in the custody of Sgt. and Mrs. James E. Hudson, citizens of the United States. The child would be considered to be a nonquota immigrant which is the status normally enjoyed by the alien minor children of citizens of the United States.

STATEMENT OF FACTS

The beneficiary of the bill was born in Japan on April 20, 1951, of a Japanese mother and an American soldier father. She is presently in the custody of Sgt. and Mrs. James E. Hudson who are stationed in Japan.

A letter to the chairman of the Committee on the Judiciary of the House of Representatives from the Deputy Attorney General with reference to the case reads as follows:

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of the Department of Justice relative to the bill (H. R. 4762) for the relief of Deborah

Anita Hudson, an alien. The bill would remove the racial barrier to admission into the United States in the case of the alien and would enable her to acquire the status of nonquota immigrant.

The records of the Immigration and Naturalization Service of this Department disclose that the alien infant was born in Japan on April 20, 1951, of a Japanese mother and an American soldier father. She is presently in the custody of Sgt. and Mrs. James E. Hudson, who are presently stationed in Japan. According to Mrs. Eleanor E. Thomas, Washington, D. C., the mother of Mrs. Hudson, the child was left in an orphanage in Tokyo, Japan, where Sergeant Hudson and his wife received her about 10 days after her birth. Mrs. Thomas also stated that it is the desire of her daughter and son-in-law to adopt the child and bring her to the United States.

Sergeant Hudson was born in Irwin, Va., and is about 35 years of age. He served in the United States Army during the Second World War and reenlisted in 1947. Mrs. Hudson was born on September 29, 1923, in Washington, D. C.

The alien, being at least one-half Japanese, is ineligible for naturalization under section 303 of the Nationality Act of 1940 and thus is inadmissible to the United States for permanent residence under section 13 (c) of the Immigration Act of 1924. In the absence of special legislation she may not be permitted to enter this country.

Whether, under the circumstances in this case, the general provisions of the immigration laws should be waived, presents a question of legislative policy concerning which this Department prefers not to make any recommendation.

Sincerely,

A. DEVITT VANECH,
Deputy Attorney General.

Congressman Howard W. Smith, the author of the bill, submitted to the Committee on the Judiciary of the House of Representatives the following information in support of the bill:

HEADQUARTERS, 564TH MILITARY POLICE SERVICE COMPANY,
TOKYO QUARTERMASTER DEPOT,
APO 1051, October 2, 1951.

Hon. HOWARD W. SMITH,
House of Representatives, Washington 25, D. C.

DEAR SIR: I have known Sgt. James E. Hudson for approximately 1 year during which time he has proven himself to be an excellent soldier and a gentleman at all times.

During this period I have had ample opportunity to observe him in his duties as a soldier and also in his domestic and social life.

I am well aware of his attempts to obtain permission to adopt and return to the United States as his legal adopted child one Deborah Anita Hudson and it is my understanding that bill, H. R. 4762, is at the present time pending action by the House of Representatives. I personally would endorse such a bill and would consider any action you might take to expedite the rapid approval of same as a personal favor.

Sergeant and Mrs. Hudson have had the child in their possession for better than 5 months and have shown the child the same love and devotion as any normal family would show their own children. I feel sure that the passage of this bill would not only afford the child a chance to live a normal healthy life but would be cause for much happiness on the part of Sergeant and Mrs. Hudson as well as all others concerned.

Sincerely yours,

ENNIS D. BOYD,
Captain, MPC.

TOKYO, JAPAN, October 18, 1951.

Hon. HOWARD W. SMITH,
House of Representatives, Washington 25, D. C.

DEAR MR. SMITH: I am writing this letter in reference to H. R. 4762 which is now pending.

Sgt. and Mrs. James Hudson, very close friends of my husband and I, have a very charming child, an orphan girl, whom they are trying to get permission to adopt and return to the United States with her. Her name is Deborah Hudson.

I believe that this bill should be passed if for no other reasons but for the good of humanity. I have been to the orphanages located near and in Tokyo several times. I have lived in Japan for almost 4 years and I am fully aware of the burdens that have been created by the occupation troops in that they have been instrumental in these cases of children being born out of wedlock or being deserted and left to die in some alley, shoe box, hotel room, etc.

However, here is a girl who being committed to an orphanage has the opportunity to share a family life consisting of a mother and father, which otherwise she may never be able to have.

Any child is entitled to the love of a mother. You probably have children, and try to imagine the plight of one of your youngsters being placed in an orphanage because your wife didn't want the child, or if you didn't care to carry the burden of supporting it.

Permitting Mrs. Hudson to adopt this girl and return to the United States with her is not a burden to the United States Government, and it is a help to the individual concerned.

Perhaps you've never been to Japan and visited the orphanages, but I'm here to tell you that no orphanage in the country is able to adequately afford the children the clothes, proper nourishment, education, and the other necessities of life as they should. These homes are 80 percent supported from charity and you know what charity affords. Practically nothing as it should.

The Japanese Government apparently is not able to support these various homes fully as it should or as it should like to. So if some kind American wife and her husband are willing to help out, why deny a child the same right that you and I was fortunate enough to have?

This family has no children of their own, and it is a big step toward a happy home life for a mother to have her sons and daughters around to rear and it helps to keep a family together in trying times as these are today.

Your hasty approval is requested and your support will be an act that the Lord will be proud of.

Sincerely yours,

Mrs. FREDDYE M. SCOTT,

Care of Sgt. George H. Scott, Jr., Company E Tokyo Quartermaster Depot,
APO 1051, care of Postmaster, San Francisco, Calif.

GENERAL HEADQUARTERS, FAR EAST COMMAND,
OFFICE OF THE COMMAND STAFF JUDGE ADVOCATE,
APO 500, January 23, 1952.

Re Sgt. James E. Hudson RA33097874, Five Hundred and Sixty-fourth MP
Service Company, APO 1051, For the relief of Deborah Anita, H. R. 4762.

Hon. HOWARD W. SMITH, M. C.,
House of Representatives, Washington, D. C.

DEAR MR. SMITH: Inasmuch as Sergeant Hudson's extension of his present tour of duty will soon expire, will you please advise the status of the bill introduced by you to permit Sergeant Hudson and his wife to take Deborah Anita to their home in the United States for adoption.

Sergeant Hudson has requested me to ask if there is any further or additional information you need in connection with this legislation, and to express to you his appreciation for your assistance in this matter.

With kind regards and best wishes,

Sincerely yours,

MARY C. EASTERLING,
Attorney-Adviser.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (H. R. 4762) should be enacted.

